

CAUSE NO. PD-1037-16

**IN THE TEXAS COURT OF CRIMINAL APPEALS
STATE OF TEXAS**

FILED
COURT OF CRIMINAL APPEALS
4/27/2017
ABEL ACOSTA, CLERK

STATE OF TEXAS, Appellant

V.

REINALDO SANCHEZ, Appellee

**APPEAL OF TRIAL COURT CASE NO. 13-15-00288-CR
FROM THE THIRTEENTH COURT OF APPEALS
STATE OF TEXAS**

**APPELLEE'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE BRIEF**

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State Bar Number: 08578900
Attorney for Appellee**

MAY IT PLEASE THE COURT:

COMES NOW Appellee, Reinaldo Sanchez, by and through his court appointed counsel, Victoria Guerra, and files this unopposed motion for extension of time to file Appellee's brief, and would show this Court the following:

Appellee's brief was due on April 12, 2017, but the Undersigned was not able to timely file said brief as a result of the following:

1. On March 17, 2017, the Undersigned filed an appellant's brief in the U.S. Fifth Circuit Court of Appeals in the case of Rivera-Paredes v. USA, cause no. 16-41366.

2. On March 6, 2017, the Undersigned filed a Petitioner for Discretionary Review in the case of Aguayo v. State, cause no. PD-0005-17.

3. On May 1, 2017, the Undersigned has due, a PDR in the case of Angel Rodrigo Gonzalez Rivera v. State, appellate cause number 13-15-00515-Cr.

4. The Undersigned is scheduled for oral argument in the Fifth Circuit Court of Appeals on June 5, 2017 in the case of Arrieta v. U.S.A., cause no. 16-40539. The Undersigned has already begun to prepare for that oral argument, as it is the Undersigned's first time to argue in said Court.

5. On April 3, 2017, the Undersigned had to attend a federal sentencing in the case of USA v. Snell, cause no. 16-CR-1050, Hon. Janice Jack presiding. In preparation for that hearing, the Undersigned filed a sentencing memorandum in

that case which included affidavit and medical record evidence. Filing this sentencing memorandum required several trips to La Villa Detention Facility to visit with the defendant to obtain her affidavit and to prepare for sentencing. Said sentencing memorandum required acquiring attached exhibits in support of the Defendant's position at the sentencing hearing.

6. The Undersigned is working on Appellant's brief in the case of Sandy Hernandez v. State, appellate cause number 13-16-00696-CR, which is due on May 4, 2017.

7. On March 23, 2017, the Undersigned was appointed to represent Defendant Jimmy Ray Gonzalez in a contested hearing in a writ of habeas corpus under 28 U.S.C. §2255 in the United States District Court, Southern District of Texas, McAllen Division in cause number 7:14-cv-00465. This hearing required a great deal time to prepare.

Each day, the Undersigned has multiple settings in State District and County Court. Each day, the Undersigned has client meetings in her office.

The foregoing prevented the Undersigned from timely filing the Appellee's brief. This brief was due on April 12, 2017. No other extensions were sought in filing Appellee's brief.

This extension of time to file Appellee's brief is not sought to unnecessarily delay this case, but so that justice be done.

WHEREFORE, Appellee prays that this Court grant his motion for extension of time to file his brief.

Respectfully submitted,

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By: /s/ Victoria Guerra
Victoria Guerra
Appellate Attorney for Appellee
State Bar No.: 08578900

CERTIFICATE OF SERVICE

On this day, the foregoing document was delivered to Appellant's counsel Michael Morris via email: Michael.Morris@da.co.hidalgo.tx.us and the State Prosecuting Attorney, Lisa McMinn via email: Lisa.McMinn@SPA.texas.gov

SIGNED this 26th day of April, 2017.

/s/ Victoria Guerra
Victoria Guerra

CERTIFICATE OF CONFERENCE

On the 25th day of April, 2017, the Undersigned conferred with Hidalgo County Assistant District Appellate Attorney Luis Gonzalez, who stated that the State has no objection to the Court granting this motion.

/s/ Victoria Guerra
Victoria Guerra

CERTIFICATE OF COMPLIANCE

In compliance with TRAP 9.4(i)(3), the undersigned certifies that the number of words in this motion , excluding those matters listed in Rule 9.4(i)(1), is 444.

SIGNED this 26th day of April, 2017.

/s/ Victoria Guerra
Victoria Guerra

